

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

Leon Stambler, §  
§  
Plaintiff §  
§  
vs. § NO. 2:08-CV-00462  
§  
Merrill Lynch & Co., et al., § JURY  
§  
Defendant. §

**NOTICE OF JOINDER IN REPLY BRIEF IN SUPPORT OF DEFENDANTS' MOTION  
FOR STAY [DOCKET NO. 236]**

Defendants Amegy Bank National Association; American Bank of Commerce; BB&T Corporation; Branch Banking and Trust Company; Colonial Bank; The Colonial Bancgroup, Inc.; First National Bank; First National Bank Group, Inc.; HSBC Bank USA, National Association; HSBC National Bank USA; HSBC North America Holdings Inc.; HSBC USA Inc.; Jack Henry & Associates, Inc.; LegacyTexas Bank; LegacyTexas Group, Inc.; Metavante Corporation; Metavante Technologies, Inc.; Morgan Stanley; Morgan Stanley & Co. Incorporated; PNC Bank, Delaware; PNC Bank, National Association; The PNC Financial Services Group, Inc.; Prosperity Bancshares, Inc.; Prosperity Bank; Sterling Bancshares, Inc.; Sterling Bank; SunTrust Bank; SunTrust Banks, Inc.; Texas Capital Bancshares, Inc.; Texas Capital Bank, National Association; U.S. Bancorp; U.S Bank National Association; Zions Bancorporation; and Zions First National Bank (collectively, "Joining Defendants") hereby join in Defendants The Charles Schwab Corporation; Charles Schwab & Co., Inc.; Charles Schwab Bank; E\*TRADE Financial Corporation; E\*TRADE Bank; Fidelity Brokerage Services LLC; National Financial Services LLC; FMR LLC; Paypal, Inc.; and American Express Company's

(collectively, "Co-Defendants") Reply Brief in Support of Defendants' Motion for Stay (Docket No. 236).

Dated May 29, 2009

Respectfully submitted,

**CONNOLLY BOVE LODGE & HUTZ LLP**

By: /s/ Anthony H. Son  
Anthony H. Son  
1875 Eye Street, N.W.  
Suite 1100  
Washington, D.C. 20006  
Tel: 202.331.7111  
Fax: 202.293.6229  
Email: [ason@cblh.com](mailto:ason@cblh.com)

**PATTON, TIDWELL, & SCHROEDER, LLP**

J. Kurt Truelove (Bar No.: 24013653)  
4605 Texas Blvd., P.O. Box 5398  
Texarkana, TX 75503  
Tel : (903) 792-7080  
Fax : (903) 792-8233  
Email: [ktruelove@texarkanalaw.com](mailto:ktruelove@texarkanalaw.com)

**ATTORNEYS FOR DEFENDANTS**  
**Amegy Bank National Association,**  
**U.S. Bancorp,**  
**U.S. Bank National Association,**  
**Zions Bancorporation, and**  
**Zions First National Bank**

**BRACEWELL & GIULIANI**

By: /s/ John F. Luman, III  
John F. Luman, III  
Texas Bar No. 00794199  
711 Louisiana Street  
Suite 2300  
Houston, TX 77002-2770  
Tel: 713.221.1596  
Fax: 713.221.1212  
Email: [john.luman@bglp.com](mailto:john.luman@bglp.com)

**ATTORNEY FOR DEFENDANTS  
Prosperity Bancshares, Inc., and  
Prosperity Bank**

**BRACEWELL & GIULIANI**

By: /s/ Michael D. Pegues  
Michael D. Pegues  
Texas Bar No. 15730600  
1445 Ross Avenue, Suite 3800  
Dallas, TX 75202-2711  
Tel: 214.758.1091  
Fax: 214.758.8391  
Email: [michael.pegues@bgllp.com](mailto:michael.pegues@bgllp.com)

**ATTORNEYS FOR DEFENDANT  
American Bank of Commerce**

**THE DAVIS FIRM, PC**

By: /s/ William Ellsworth Davis, III  
William Ellsworth Davis, III, *Lead Attorney*  
Texas Bar No. 2407416  
The Davis Firm, PC  
111 West Tyler Street  
Longview, TX 75601  
Tel: 903.230.9090  
Fax: 903.230.9661  
Email: [bdavis@bdavisfirm.com](mailto:bdavis@bdavisfirm.com)

**DUANE MORRIS, LLP**

Barry Golob (*Pro Hac Vice*)  
505 9th Street N.W., Ste. 1000  
Washington, D.C. 20004-2166  
Tel: 202.776.7800  
Fax: 202.776.7801  
Email: [bgolob@duanemorris.com](mailto:bgolob@duanemorris.com)

Louis N. Jameson (Georgia Bar No. 003970)  
Leah J. Poynter (*Pro Hac Vice*)  
1180 West Peachtree Street, Ste. 700  
Atlanta, GA 30309

Tel: 404.253.6915  
Fax: 404.253.6901  
Email: [LPoynter@duanemorris.com](mailto:LPoynter@duanemorris.com)  
Email: [WJameson@duanemorris.com](mailto:WJameson@duanemorris.com)

**ATTORNEY FOR DEFENDANTS  
BB&T Corporation, and  
Branch Banking and Trust Company**

**ANDREWS KURTH LLP**

By: /s/ Tonya M. Gray  
Gerald C. Conley  
Texas Bar No. 04664200  
Tonya M. Gray  
Texas Bar No. 24012726  
1717 Main St.  
Suite 3700  
Dallas, TX 75201  
Tel: 214.659.4400  
Fax: 214.659.4401  
Email: [geraldconley@andrewskurth.com](mailto:geraldconley@andrewskurth.com)  
Email: [tonyagray@andrewskurth.com](mailto:tonyagray@andrewskurth.com)

OF COUNSEL:

William G. Compton  
Texas Bar No. 04652350  
[bilcompton@andrewskurth.com](mailto:bilcompton@andrewskurth.com)  
1717 Main Street, Suite 3700  
Dallas, Texas 75201  
Tel: 214.659.4400  
Fax: 214.659.4401

**ATTORNEY FOR DEFENDANTS  
Colonial Bank,  
The Colonial Bancgroup, Inc.,  
Sterling Bancshares, Inc., and  
Sterling Bank**

**COWLES & THOMPSON**

By: /s/ Sim Israeloff  
Sim Israeloff  
Texas Bar No. 10435380  
David Johnson  
Texas Bar No. 24032598  
901 Main Street, Suite 3900  
Dallas, TX 75202-3793  
Tel: 214.672.2131 (Sim Israeloff)  
Fax: 214.672.2331 (Sim Israeloff)  
Tel: 214.672.2186 (David Johnson)  
Fax: 214.672.2386 (David Johnson)  
Email: [sisraeloff@cowlesthompson.com](mailto:sisraeloff@cowlesthompson.com)  
Email: [djohnson@cowlesthompson.com](mailto:djohnson@cowlesthompson.com)

**ATTORNEY FOR DEFENDANTS**  
**First National Bank,**  
**First National Bank Group, Inc.,**  
**Jack Henry & Associates, Inc.,**  
**LegacyTexas Bank, and**  
**LegacyTexas Group, Inc.**

**LOCKE LORD BISSELL & LIDDELL LLP**

By: /s/ Edwin R. DeYoung  
Edwin R. DeYoung  
Texas Bar No. 05673000  
Roy W. Hardin  
Texas Bar No. 08968300  
Roger B. Cowie  
Texas Bar No. 00783886  
2200 Ross Ave.  
Suite 2200  
Dallas, TX 75201-6776  
Tel: 214.740.8500  
Fax: 214.740.8800  
Email: [edeyoung@lockelorde.com](mailto:edeyoung@lockelorde.com)  
[rhardin@lockelord.com](mailto:rhardin@lockelord.com)  
[rcowie@lockelord.com](mailto:rcowie@lockelord.com)

**ATTORNEY FOR DEFENDANTS**  
**HSBC Bank USA, National Association,**  
**HSBC National Bank USA,**  
**HSBC North America Holdings Inc., and**

**HSBC USA Inc.**

**GREENBERG TRAURIG, LLP**

By: /s/ Allan A. Kassenoff

Mark Calhoun

Texas Bar No. 03641500

Tanya Henderson

Texas Bar No. 50511706

2200 Ross Avenue

Dallas, Texas 75201

Tel: 214.665.3600

Fax: 214.665.3601

Email: [calhounm@gtlaw.com](mailto:calhounm@gtlaw.com)

Email: [headersontd@gtlaw.com](mailto:headersontd@gtlaw.com)

Scott J. Bornstein  
Allan A. Kassenoff  
Metlife Building  
200 Park Avenue, 34th Floor  
New York, NY 10166  
Tel: 212.801.9200  
Fax: 212.801.6400  
Email: [bornsteins@gtlaw.com](mailto:bornsteins@gtlaw.com)  
Email: [kassenoffa@gtlaw.com](mailto:kassenoffa@gtlaw.com)

**ATTORNEY FOR DEFENDANTS**

**Metavante Corporation and**

**Metavante Technologies, Inc.**

**MORGAN LEWIS & BOCKIUS LLP**

By: /s/ Winstol D. Carter, Jr.

Winstol D. Carter, Jr.

Texas Bar No. 03932950

Rick L. Rambo

Texas Bar No. 00791479

1000 Louisiana Street

Suite 4200

Houston, TX 77002

Tel: 713.890.5000

Fax: 713.890.5001

Email: [wcarter@morganlewis.com](mailto:wcarter@morganlewis.com)

[rrambo@morganlewis.com](mailto:rrambo@morganlewis.com)

**ATTORNEY FOR DEFENDANTS**  
**Morgan Stanley,**  
**Morgan Stanley & Co. Incorporated,**  
**PNC Bank, Delaware,**  
**PNC Bank, National Association, and**  
**The PNC Financial Services Group, Inc.**

**THE DAVIS FIRM, PC**

By: /s/ William Ellsworth Davis, III  
William Ellsworth Davis, III, *Lead Attorney*  
Texas Bar No. 2407416  
The Davis Firm, PC  
111 West Tyler Street  
Longview, TX 75601  
Tel: 903.230.9090  
Fax: 903.230.9661  
Email: [bdavis@bdavisfirm.com](mailto:bdavis@bdavisfirm.com)

**WARD & OLIVO**

John F. Ward  
John W. Olivo, Jr.  
David M. Hill  
Maureen V. Abbey  
380 Madison Avenue  
New York, New York 10017  
Tel: 212.697.6262  
Fax: 212.972.5866  
Email: [wardj@wardolivo.com](mailto:wardj@wardolivo.com)  
[olivoj@wardolivo.com](mailto:olivoj@wardolivo.com)  
[hild@wardolivo.com](mailto:hild@wardolivo.com)  
[abbeym@wardolivo.com](mailto:abbeym@wardolivo.com)

**ATTORNEY FOR DEFENDANTS**  
**SunTrust Bank, and**  
**SunTrust Banks, Inc.**

**K&L GATES LLP**

By: /s/ John H. McDowell, Jr.  
John H. McDowell, Jr.  
Texas Bar No. 13570825  
Benjamin Jack Setnick

Texas Bar No. 24058820  
1717 Main Street  
Suite 2800  
Dallas, TX 75201  
Tel: 214.939.5500  
Fax: 214.939.5849  
Email: [john.mcdowell@klgates.com](mailto:john.mcdowell@klgates.com)  
[ben.setnick@klgates.com](mailto:ben.setnick@klgates.com)

Minh-Hien Nguyen  
Texas Bar No. 00795293  
600 Congress Ave., Ste. 900  
Austin, TX 78701  
Tel: 512.482.6811  
Fax: 512.482.6859  
Email: [minh-hien.nguyen@klgates.com](mailto:minh-hien.nguyen@klgates.com)

**ATTORNEY FOR DEFENDANTS**  
**Texas Capital Bancshares, Inc., and**  
**Texas Capital Bank, National Association**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served via the Court's CM/ECF system in accordance with Local Rule CV-5(a) to all counsel of record on May 29, 2009.

/s/ Mitchell M. Blakely